

Amendments to the Claims

Please add new Claim 59. The Claim Listing below will replace all prior versions of the claims in the application:

Claim Listing

1. (Previously presented) A method for execution by a data processor, the method comparing financial products as funding sources for a financial plan, comprising:
 - providing a user interface for selecting two or more financial products for comparison of a set of attributes, each financial product having values corresponding to the set of attributes;
 - retrieving the attribute values from a storage location for each of the selected financial products;
 - querying a user through the user interface for weights to be assigned to each of the attributes;
 - assigning the weights to the attributes;
 - scaling the attribute values of the financial products across each attribute by a dispersion factor to generate a set of relative attribute scores for each attribute, the set of relative attribute scores for each attribute thereby being dispersed to reduce clustering for each attribute;
 - for each attribute, multiplying the set of relative attribute scores by the assigned weight;
 - generating a weighted product score for each financial product by summing the weighted relative attribute scores associated with the product; and
 - presenting the weighted product scores to a user, the weighted product scores serving as a comparison of tradeoffs associated with each of the selected financial products.
2. (Original) The method of claim 1, further comprising:
 - changing the assigned weight for at least one of the attributes to compare financial tradeoffs.

3. (Previously presented) The method of claim 1, wherein scaling the values for each attribute further comprises:
 - identifying a maximum value and a minimum value from the selected financial products for an attribute;
 - calculating an adjusted maximum value and an adjusted minimum value by applying the dispersion factor to the maximum and minimum values;
 - calculating an adjusted range from the adjusted maximum and minimum values; and
 - generating a relative attribute score from the adjusted range for each financial product resulting in a set of relative attribute scores for the attribute being dispersed within the adjusted range.
4. (Original) The method of claim 1, further comprising:
 - populating one or more of the attributes for the financial products with grades from one or more financial databases, the databases providing a comparative grade of financial strength of financial product carriers; and
 - converting the grades into numeric values.
5. (Original) The method of claim 1, further comprising:
 - populating one or more of the attributes of the financial products with values from a financial product illustration system, the system projecting values of each of the financial products.
6. (Original) The method of claim 1, further comprising:
 - populating one or more of the attributes of the financial products with subjective scores from a user.
7. (Original) The method of claim 1, wherein the set of attributes are grouped into categories and further comprises assigning a weight to each of the categories.

8. (Original) The method of claim 7, wherein a summation of the weights of the attributes within a category is equal to the assigned weight of the category.
9. (Previously presented) The method of claim 7, wherein the categories comprise financial strength, funding, and contractual features, the contractual features including attributes associated with contractual provisions, contractual guarantees, fund choices of a contract, and fund performance of a contract.
10. (Original) The method of claim 9, wherein the attributes within the financial strength category include:
 - at least one rating from a rating agency;
 - asset size; and
 - strength of financial backing including parent.
11. (Original) The method of claim 9, wherein the attributes within the funding category include:
 - first year cash flow resulting from purchasing a particular policy;
 - discounted value of the policy and benefits after tax cash flow at a discounted rate;
 - internal rate of return on policy and benefits after tax cash flow;
 - after-tax effect on earnings due to the policy and benefits in first year;
 - cumulative after-tax effect on earnings due to the policy and benefits through first five years; and
 - number of years until the cumulative after-tax effect on earnings becomes positive.
12. (Original) The method of claim 9, wherein the attributes within the contractual features category include:
 - de-MECing provisions;
 - mortality charge guarantees;
 - expense charge guarantees;

buyers rating of fund choices; and
buyers rating of historical fund performance.

13. (Previously presented) The method of claim 9, the attributes include a subjective assessment of an underwriting offer relative to terms of insurance coverage.
14. (Previously presented) The method of claim 1, further comprising:
 - selecting a non-qualified supplemental benefits plan;
 - inputting employee census data for a participant of the selected non-qualified supplemental benefits plan; and
 - presenting to the user a set of financial products that are available as potential funding sources based on the selected benefit plan and the input employee census data.
15. (Original) The method of claim 1, wherein the two or more financial products are compared for individual financial planning.
16. (Original) The method of claim 1, wherein the two or more financial products compared include life insurance policies.
17. (Original) The method of claim 16, wherein the life insurance policies include corporate-owned life insurance policies.
18. (Original) The method of claim 1, wherein the two or more financial products compared include securities.
19. (Original) The method of claim 18, wherein the securities include mutual funds.
20. (Previously presented) A server apparatus for comparing financial products as funding sources for a financial plan, comprising:
 - a server;

one or more clients in communication with the server;
for each client, the server enabling the client to select two or more financial products for comparison of a set of attributes by the server, the server retrieving attribute values for each of the selected financial products corresponding to the set of attributes;
the server querying a user through the client for weights to be assigned to each of the attributes;
the server assigning the weights to the attributes;
the server scaling the attribute values of the financial products across each attribute by a dispersion factor to generate a set of relative attribute scores for each attribute, the set of relative attribute scores thereby being dispersed to reduce clustering for each attribute;
for each attribute, the server multiplying the set of relative attribute scores by the assigned weight;
the server generating a weighted product score for each financial product by summing the weighted relative attribute scores associated with the product; and
the server transmitting the weighted product scores to the client for presentation to a user, the weighted product scores serving as a comparison of tradeoffs associated with each of the selected financial products.

21. (Previously presented) The server apparatus of claim 20, further comprising:
the server changing the assigned weight for at least one of the attributes to compare financial tradeoffs as instructed by the client.
22. (Previously presented) The server apparatus of claim 20, wherein the scaling of the values by the server for each attribute further comprises:
the server identifying a maximum value and a minimum value for an attribute;
the server calculating an adjusted maximum value and an adjusted minimum value by applying the dispersion factor to the maximum and minimum values;

the server calculating an adjusted range from the adjusted maximum and minimum values; and

the server generating a relative attribute score from the adjusted range for each financial product resulting in a set of relative attribute scores for the attribute being dispersed within the adjusted range.

23. (Previously presented) The server apparatus of claim 20, further comprising:

one or more financial databases;

the server populating one or more of the attributes of the financial products with grades from the one or more financial databases, the one or more financial databases providing a comparative grade of financial strength of financial product carriers; and

the server converting the grades into numeric values.

24. (Previously presented) The server apparatus of claim 20, further comprising:

one or more financial product illustration systems; and

the server populating one or more of the attributes of the financial products with values from the one or more financial product illustration systems, the systems projecting values of each of the financial products.

25. (Previously presented) The server apparatus of claim 20, further comprising:

the server populating one or more of the attributes of the financial products with subjective scores from a client.

26. (Previously presented) The server apparatus of claim 20, wherein:

the server groups the set of attributes into categories; and

the server assigns a weight to each of the categories as instructed by the client.

27. (Previously presented) The server apparatus of claim 26, wherein a summation of the weights of the attributes within each of the categories is equal to the assigned weight of the category.
28. (Previously presented) The server apparatus of claim 26, wherein the categories comprise financial strength, funding, and contractual features, the contractual features including attributes associated with contractual provisions, contractual guarantees, fund choices of a contract, and fund performance of a contract.
29. (Previously presented) The server apparatus of claim 28, wherein the attributes within the financial strength category include:
 - at least one rating from a rating agency;
 - asset size; and
 - strength of financial backing including parent.
30. (Previously presented) The server apparatus of claim 28, wherein the attributes within the funding category include:
 - first year cash flow resulting from purchasing a particular policy;
 - discounted value of the policy and benefits after tax cash flow at a discounted rate;
 - internal rate of return on policy and benefits after tax cash flow;
 - after-tax effect on earnings due to the policy and benefits in first year;
 - cumulative after-tax effect on earnings due to the policy and benefits through first five years; and
 - number of years until the cumulative after-tax effect on earnings becomes positive.
31. (Previously presented) The server apparatus of claim 28, wherein the attributes within the contractual features category include:
 - de-MECing provisions;
 - mortality charge guarantees;

expense charge guarantees;
buyers rating of fund choices; and
buyers rating of historical fund performance.

32. (Previously presented) The server apparatus of claim 28, the attributes further include a subjective assessment of an underwriting offer relative to terms of insurance coverage.
33. (Previously presented) The server apparatus of claim 20, further comprising:
 - the server enabling the client to select a non-qualified supplemental benefits plan, the two or more financial products compared for funding the plan;
 - the server receiving employee census data for a participant of the selected non-qualified supplemental benefits plan input from the client; and
 - the server transmitting to the client a set of financial products that are available as potential funding sources based on the selected benefit plan and the input employee census data.
34. (Previously presented) The server apparatus of claim 20, wherein the one or more clients comparing the two or more financial products for individual financial planning purposes.
35. (Previously presented) The server apparatus of claim 20, wherein the two or more financial products compared include life insurance policies.
36. (Previously presented) The server apparatus of claim 35, wherein the life insurance policies include corporate-owned life insurance policies.
37. (Previously presented) The server apparatus of claim 20, wherein the two or more financial products compared include securities.
38. (Previously presented) The server apparatus of claim 37, wherein the securities include mutual funds.

39. (Previously presented) An article of manufacture, comprising:

- a computer-readable medium;
- a set of computer operating instructions embodied on the medium, including instructions for a method of comparing financial products as funding sources for a financial plan, comprising instructions for:
 - selecting two or more financial products for comparison of a set of attributes, each financial product having values corresponding to the set of attributes;
 - retrieving the attribute values for each of the selected financial products;
 - querying a user through the user interface for weights to be assigned to each of the attributes;
 - assigning the weights to the attributes;
 - scaling the attribute values of the financial products across each attribute by a dispersion factor to generate a set of relative attribute scores for each attribute, the set of relative attribute scores for each attribute thereby being dispersed to reduce clustering for each attribute;
 - for each attribute, multiplying the set of relative attribute scores by the assigned weight; and
 - generating a weighted product score for each financial product by summing the weighted relative attribute scores associated with the product; and
 - presenting the weighted product scores to a user, the weighted product scores serving as a comparison of tradeoffs associated with each of the selected financial products.

40. (Original) The article of claim 39, further comprising instructions for changing the assigned weight for at least one of the attributes to compare financial tradeoffs.

41. (Previously presented) The article of claim 39, wherein the instructions for scaling the values for each attribute further comprises:
 - identifying a maximum value and a minimum value from the selected financial products for an attribute;
 - calculating an adjusted maximum value and an adjusted minimum value by applying the dispersion factor to the maximum and minimum values;
 - calculating an adjusted range from the adjusted maximum and minimum values; and
 - generating a relative attribute score from the adjusted range for each financial product resulting in a set of relative attribute scores for the attribute being dispersed within the adjusted range.
42. (Original) The article of claim 39, further comprising instructions for:
 - populating one or more of the attributes of the financial products with grades from one or more financial databases, the databases providing a comparative grade of financial strength of financial product carriers; and
 - converting the grades into numeric values.
43. (Original) The article of claim 39, further comprising instructions for populating one or more of the attributes of the financial products with values from a financial product illustration system, the system projecting values of each of the financial products.
44. (Original) The article of claim 39, further comprising instructions for populating one or more of the attributes of the financial products with subjective scores from a user.
45. (Original) The article of claim 39, further comprising instructions for:
 - grouping the set of attributes into categories; and assigning a weight to each of the categories.
46. (Previously presented) The article of claim 45, wherein the categories comprise financial strength, funding, and contractual features, the contractual features including attributes

associated with contractual provisions, contractual guarantees, fund choices of a contract, and fund performance of a contract.

47. (Original) The article of claim 45, wherein the attributes within the financial strength category include:

at least one rating from a rating agency;
asset size; and
strength of financial backing including parent.

48. (Original) The article of claim 45, wherein the attributes within the funding category include:

first year cash flow resulting from purchasing a particular policy;
discounted value of the policy and benefits after tax cash flow at a discounted rate;
internal rate of return on policy and benefits after tax cash flow;
after-tax effect on earnings due to the policy and benefits in first year;
cumulative after-tax effect on earnings due to the policy and benefits through first five years; and
number of years until the cumulative after-tax effect on earnings becomes positive.

49. (Original) The article of claim 45, wherein the attributes within the contractual features category include:

de-MECing provisions;
mortality charge guarantees;
expense charge guarantees;
buyers rating of fund choices; and
buyers rating of historical fund performance.

50. (Previously presented) The article of claim 45, the attributes include a subjective assessment of an underwriting offer relative to terms of insurance coverage.

51. (Previously presented) The article of claim 39, further comprising instructions for:
 - selecting a non-qualified supplemental benefits plan;
 - inputting employee census data for a participant of the selected non-qualified supplemental benefits plan; and
 - presenting to the user a set of financial products that are available as potential funding sources based on the selected benefit plan and the input employee census data.
52. (Original) The article of claim 39, wherein the two or more financial products are compared for individual financial planning purposes.
53. (Original) The article of claim 39, wherein the two or more financial products compared include life insurance policies.
54. (Original) The article of claim 53, wherein the life insurance policies include corporate-owned life insurance policies.
55. (Original) The article of claim 39, wherein the two or more financial products compared include securities.
56. (Original) The article of claim 55, wherein the securities include mutual funds.
57. (Previously presented) A method for execution by a data processor, the method comparing life insurance policies as funding sources for a non-qualified supplemental benefits plan, comprising:
 - providing a user interface for selecting a non-qualified supplemental benefits plan;
 - inputting employee census data for a participant of the selected non-qualified supplemental benefits plan through the user interface;

presenting an available set of life insurance policies that are available as potential funding sources based on the selected benefit plan and the input employee census data;

selecting two or more life insurance policies from the available set for comparison of a set of attributes through the user interface, each of the two or more life insurance policies having values corresponding to the set of attributes;

retrieving the attribute values from at least one storage location for each of the selected life insurance policies;

querying a user through the user interface for weights to be assigned to each of the attributes;

assigning the weights to the attributes;

scaling the attribute values of the life insurance policies across each attribute by a dispersion factor to generate a set of relative attribute scores for each attribute, the set of relative attribute scores for each attribute thereby being dispersed to reduce clustering for each attribute;

for each attribute, multiplying the set of relative attribute scores by the assigned weight;

generating a weighted product score for each of the life insurance policies by summing the weighted relative attribute scores associated with the life insurance policy; and

presenting the weighted product scores to a user, the weighted product scores serving as a comparison of tradeoffs associated with each of the selected life insurance policies.

58. (Previously presented) A server apparatus for comparing life insurance policies as funding sources for a non-qualified supplemental benefits plan, comprising:
 - means for selecting a non-qualified supplemental benefits plan;
 - means for inputting employee census data for a participant of the selected non-qualified supplemental benefits plan;

means for presenting an available set of life insurance policies that are available as potential funding sources based on the selected benefit plan and the input employee census data;

means for selecting two or more life insurance policies from the available set for comparison of a set of attributes, each of the two or more life insurance policies having values corresponding to the set of attributes;

means for retrieving the attribute values for each of the selected life insurance policies;

means for querying a user through the user interface for weights to be assigned to each of the attributes;

means for assigning the weights to the attributes;

means for scaling the attribute values of the life insurance policies across each attribute by a dispersion factor to generate a set of relative attribute scores for each attribute, the set of relative attribute scores for each attribute thereby being dispersed to reduce clustering for each attribute;

for each attribute, means for multiplying the set of relative attribute scores by the assigned weight;

means for generating a weighted product score for each of the life insurance policies by summing the weighted relative attribute scores associated with the life insurance policy; and

means for presenting the weighted product scores to a user, the weighted product scores being used to provide a comparison of tradeoffs associated with each of the selected life insurance policies.

59. (New) A method as in claim 1 wherein at least one of the financial products is a life insurance policy and the other financial product is a security.

The Office Action mailed December 21, 2004 required restriction of the application to one of the following inventions.

Group I: Claims 13, 16-17, 32, 35-36, 50, 53-54 and 57-58.

Group II: Claims 1-12, 14-15, 18-31, 33-34, 37-49, 51-52 and 55-56.

Applicants hereby provisionally elect the Claims of Group II with traverse.

The Restriction Requirement is improper and should be withdrawn for several reasons.

First of all, Applicants' Claims 1-56 have already been examined. That is, in the Office Action mailed March 19, 2004, the Patent Office has already made a full examination of claims in both groups. A response filed September 15, 2004 fully responded to the issues raised in the March 19, 2004 Office Action. Thus the Restriction Requirement at this time appears to be too late. The application is in condition for allowance.

Furthermore, even if the timing of the Restriction Requirement is proper, the claim groups are not related as combinations and sub-combinations. Rather, Claim 1 uses a generic term "financial product" in its recitation of how to compare financial products as funding sources for a financial plan. In the recited steps of Claim 1, a user interface allows selection of two or more financial products. For comparison of a set of attributes, weights are then assigned to attributes of the financial products. The attribute values are then scaled to reduce clustering, and then multiplied by an attribute score to provide a generated weighted product score indicative of the trade offs associated with each of the selected financial products.

Applicants' specification as originally filed on June 26, 2001 explains that non-qualified benefit plans or executive benefit programs can be funded in different ways. For example, as explained at page 2 of the specification, two of the more popular choices are taxable securities (often obtained through mutual funds) and tax sheltered Corporate Owned Life Insurance (COLI) policies. Furthermore, in connection with the Summary of the Invention, see page 2, line 25 continuing through page 3, line 3, it was discussed that the present invention involves a method for comparing financial products as funding sources where two or more financial products may include life insurance policies and/or securities.

Mutual funds, insurance policies, and stock portfolios are all "financial products" in the way in which that term was defined by the Applicants' in their specification.

To require restriction of Applicants claims to either life-insurance funded plan or a securities-funded plan evaluation is inconsistent with the specification and would prohibit the Applicant from obtaining coverage on an invention that compares, for example, the attributes of a life insurance policy and a security.

How for example is Applicant to present Claim 13 in a separate application without presenting it as a claim that contains all of the limitations of Claim 1? Claim 1 is generic to both Group II and Group I. Using the logic set forth by the Examiner, every dependent claim in every patent application would be considered to be a combination of the independent claim which it depends from. The Patent Office would then be entitled to insist that a separate application be filed for each dependent claim. The section of MPEP cited by the Examiner, MPEP 806.05(d) points out that care should always be exercised to determine if several subcombinations are actually generically claimed. The restriction is thus unreasonable and should be withdrawn.

Withdrawal of the Restriction Requirement, reinstatement of the withdrawn claims and allowance of the application is requested.

Respectfully submitted,

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